

Environmental Protection Agency

§ 62.10

unless specifically disapproved in the appropriate subpart.

§ 62.05 Legal authority.

(a) The Administrator's determination of the absence or inadequacy of legal authority required to be included in the plan is set forth in each subpart. This includes the legal authority of local agencies and State governmental agencies other than an air pollution control agency if such other agencies are assigned responsibility for carrying out a plan or portion thereof.

(b) No legal authority as such is promulgated by the Administrator. Where required regulatory provisions are not included in the plan by the State because of inadequate authority, substitute provisions are promulgated by the Administrator.

§ 62.06 Negative declarations.

A State may submit to the Administrator a letter certifying that no designated facilities exist in the State if such is the case. The negative declaration will be in lieu of a plan.

§ 62.07 Emission standards, compliance schedules.

(a) In each subpart, emission standards and compliance schedules which have been disapproved by the Administrator are identified, and those promulgated by the Administrator are set forth.

(b) The Administrator's approval or promulgation of any compliance schedule shall not affect the responsibility of the owner or operator to comply with any applicable emission limitation on or after the date for final compliance specified in the applicable schedule.

§ 62.08 Emission inventories and source surveillance.

(a) Each subpart identifies the plan provisions for source surveillance which are disapproved, and sets forth the Administrator's promulgation of necessary provisions for requiring designated sources to maintain records, make reports, and submit information.

(b) The Administrator will not promulgate provisions for disapproved State or local agency procedures for testing, inspection, investigation, or

detection. However, detailed critiques of such portions will be provided to the State.

§ 62.09 Revision of plans by Administrator.

After notice and opportunity for public hearing in each affected State, the Administrator may revise any provision of an applicable plan if:

(a) The provision was promulgated by the Administrator and

(b) The plan, as revised, will be consistent with the Act and with the requirements of part 60, subpart B of this chapter.

§ 62.10 Submission to Administrator.

Except as otherwise provided in § 60.23 of this chapter, all requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate and addressed to the appropriate Regional Office of the Environmental Protection Agency, to the attention of the Director, Air and Hazardous Materials Division (Environmental Programs Division in Region II). The Regional Offices are as follows:

Region and jurisdiction covered	Address
I—Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont.	5 Post Office Square— Suite 100, Boston, MA 02109-3912.
II—New York, New Jersey, Puerto Rico, Virgin Islands.	Federal Office Building, 26 Federal Plaza, New York, N.Y. 10007.
III—Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia.	Air Protection Division, Mail Code 3AP00, 1650 Arch Street, Philadelphia, PA 19103-1129.
IV—Alabama, Florida, Georgia, Mississippi, Kentucky, North Carolina, South Carolina, Tennessee.	345 Courtland NE., At- lanta, Ga. 30308.
V—Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin.	Mail Code A-17J, 77 West Jackson Blvd., Chicago, IL 60604- 3590.
VI—Arkansas, Louisiana, New Mexico, Oklahoma, Texas.	1st International Building, 1201 Elm St., Dallas, Tex. 75270.
VII—Iowa, Kansas, Missouri, Nebraska.	Air and Waste Manage- ment Division 11201 Renner Boulevard, Lenexa, Kansas 66219.

§ 62.11

40 CFR Ch. I (7–1–15 Edition)

Region and jurisdiction covered	Address
VIII—Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming.	Director, Air Program, Office of Partnerships and Regulatory Assist- ance, Mail Code 8P– AR, 1595 Wynkoop Street, Denver, CO 80202–1129.
IX—Arizona, California, Hawaii, Nevada, the territories of American Samoa and Guam; the Commonwealth of the Northern Mariana Islands; the territories of Baker Island, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Atoll, Palmyra Atoll, and Wake Islands; and certain U.S. Government activities in the freely associated states of the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.	75 Hawthorne Street, San Francisco, CA 94105.

[43 FR 51393, Nov. 3, 1978, as amended at 62 FR 1834, Jan. 14, 1997; 68 FR 35729, June 17, 2003; 73 FR 24871, May 6, 2008; 74 FR 66923, Dec. 17, 2009; 75 FR 69352, Nov. 12, 2010; 76 FR 49673, Aug. 11, 2011; 78 FR 37977, June 25, 2013]

§ 62.11 Severability.

The provisions promulgated in this part and the various applications thereof are distinct and severable. If any provision of this part or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or application of such provision to other persons or circumstances which can be given effect without the invalid provision or application.

§ 62.12 Availability of applicable plans.

Copies of the applicable plans will be available for public inspection at the following locations:

(a) The offices of the Directors, Air and Hazardous Materials Divisions at EPA Regional Offices I, III–X, and the Director, Environmental Programs Division at EPA Regional Office II. The addresses and jurisdictions covered by these appear in § 62.10.

(b) Public Information Reference Unit, Library Systems Branch, EPA (PM 213), 401 M St., SW., Washington, DC 20460.

§ 62.13 Federal plans.

The Federal plans apply to owners and operators of affected facilities that are not covered by an EPA approved

and currently effective State or Tribal plan. This Federal plan, or portions thereof, also applies to each affected facility located in any State or portion of Indian country whose approved State or Tribal plan for that area is subsequently vacated in whole or in part. Affected facilities are defined in each Federal plan.

(a) The substantive requirements of the municipal waste combustor Federal plan are contained in subpart FFF of this part. These requirements include emission limits, compliance schedules, testing, monitoring, and reporting and recordkeeping requirements.

(b) The substantive requirements of the municipal solid waste landfills Federal plan are contained in subpart GGG of this part. These requirements include emission limits, compliance schedules, testing, monitoring, and reporting and recordkeeping requirements.

(c) The substantive requirements of the hospital/ medical/infectious waste incinerator Federal plan are contained in subpart HHH of this part. These requirements include emission limits, compliance schedules, testing, monitoring and reporting and recordkeeping requirements.

(d) The substantive requirements of the commercial and industrial solid waste incineration units Federal plan are contained in subpart III of this part. These requirements include emission limits, compliance schedules, testing, monitoring, and reporting and recordkeeping requirements.

(e) The substantive requirements of the small municipal waste combustion unit Federal plan are contained in subpart JJJ of this part. These requirements include emission limits, compliance schedules, testing, monitoring, and reporting and recordkeeping requirements.

[63 FR 63201, Nov. 12, 1998, as amended at 65 FR 49881, Aug. 15, 2000; 68 FR 5158, Jan. 31, 2003; 68 FR 57539, Oct. 3, 2003]

Subpart B—Alabama

AUTHORITY: Sec. 110(a) and 111(d), Clean Air Act (42 U.S.C. 7410(a) and 7411(d)).